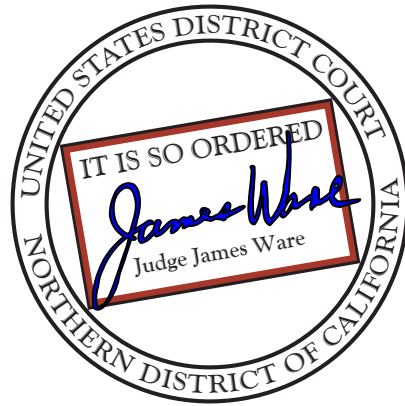


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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

MIN FENG,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security;
 EMILIO T. GONZALEZ, Director, U.S.
 Citizenship and Immigration Services;
 CONDOLEEZZA RICE, Secretary of State,
 Department of State;
 JOSEPH P. MARTIN, Officer in Charge,
 USCIS Beijing Office,

Defendants.

No. C 06-4633 JW

**STIPULATION TO EXTEND DATE OF
 CASE MANAGEMENT CONFERENCE;
 AND [PROPOSED] ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to a 30-day extension of the case management conference in light of the reasonable likelihood that this case may be administratively resolved and that the case may be moot.

1. The plaintiff filed a mandamus complaint on July 28, 2006, asking this Court to direct the defendants adjudicate an I-730 petition and issue travel documents to the plaintiff's child.

2. The defendants filed and served an answer to the complaint on September 28, 2006.

3. A case management conference is currently scheduled for November 27, 2006. The parties

1 have filed a joint case management statement.

2 4. The parties agree that there is a reasonable likelihood that this case can be administratively
3 resolved in the next 30 days and that the case will be moot.

4 5. Accordingly, the parties respectfully ask this Court to extend the date of the Case
5 Management Conference by 30 days.

6 6. If the case becomes moot, the parties will file a stipulation to dismiss. If the case if not
7 administratively resolved, the parties will file a joint case management conference statement 7
8 days in advance of the re-scheduled Case Management Conference.

9 Date: November 21, 2006

Respectfully submitted,

10 KEVIN V. RYAN
11 United States Attorney

12
13 /s/
EDWARD A. OLSEN
14 Assistant United States Attorney
15 Attorneys for Defendants

16
17 Date: November 21, 2006

18 /s/
JUSTIN X. WANG
Attorney for Plaintiff

19 **ORDER**

20 Pursuant to stipulation, IT IS SO ORDERED.

21 The Court continues the case management conference presently
22 scheduled for November 27, 2006 to January 22, 2007 at 10 AM
23 accommodate the parties' efforts in resolving the case.

24 Date: November 22, 2006

25 
26 JAMES WAKE
27 United States District Judge
28